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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,829	11/30/2005	Marko Schuba	P17307-US1	2475
27045	7590	07/13/2010		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024				
EXAMINER				
DOAN, TRANG T				
ART UNIT		PAPER NUMBER		
2431				
NOTIFICATION DATE		DELIVERY MODE		
07/13/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/530,829

Applicant(s)

SCHUBA, MARKO

Examiner

TRANG DOAN

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notes of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on 04/21/2010.
2. Claims 4 and 13 have been cancelled.
3. Claims 1-3, 5-12 and 14-20 are pending for consideration.

Response to Arguments

4. Applicant's arguments with respect to the rejection under 35 U.S.C. 112, second paragraph, are not persuasive. Applicant argued that *"Applicant is under no obligation to claim from where "the request" to the server is sent. Likewise, Applicant is under no obligation to claim who or what is confirming the matching. Neither limitation needs to be further limited in order to understand what is being claimed"*.
5. Examiner is not arguing about applicant's obligation but trying to understand the meaning of these limitations in general and technical scope in particular so that he can formulate and perform a search of this invention to issue a valid patent. Therefore, applicant's help is requested to resolve this issue. Please also refer the rejection under 35 U.S.C. 112 as discussed below.
6. Therefore, the rejection under 35 U.S.C. 112, second paragraph, has been maintained.
7. Applicant's arguments filed on 04/21/2010 have been fully considered but they are not persuasive.

Applicant argues on page 8 of the Remarks that there is no specific showing by Examiner as to what specific elements of Falk teach a first institution, second institution, first device, second device, first characteristic, second characteristic, first linking information and second linking information. Examiner respectfully disagrees with applicant's argument. Falk teaches the first institution as the authentication center, the second institution as the electronic service, the first device as the personal unit/terminal, the second device as the service node, the first characteristic as the telephone number, the second characteristic as algorithms, the first linking information as the received response code and the second linking information as the expected response code (Falk: see figure 1, column 3 lines 21-34 and column 4 line 62 through column 5 line 7).

8. Examiner notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-3, 5-12, and 14-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
11. Regarding claims 1, 10, and 18, the limitation "receive at the server a request for triggering" is unclear whether the request is from the first device or the second device.
12. In addition to claims 1, 10, and 18, the limitation "entering into the first device an indication of the matching" is unclear as to who is the one confirming the matching?
13. The dependent claims are depended on the rejected base claim, and are rejected for the same rationale.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-3, 5-12 and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Falk et al. (US 5668876) (hereinafter Falk).
16. Regarding claims 1, 10 and 18, Falk discloses a method for granting access to a second institution for or via a second device by linking of a first characteristic of a first

device and a second characteristic of a second device by a server, comprising the steps of: receiving at the server a request for triggering (Falk: column 5 lines 23-25: terminal transmits a request over a service access network) the following steps: selecting a first linking information and a second linking information (Falk: see figure 1, column 3 lines 21-34; column 4 line 62 through column 5 line 7; and column 5 lines 48-52: the first linking information is the received response code. The second linking information is the expected response code), the first linking information matching to the second linking information, sending from the server the first linking information to the first device and the second linking information to the second device, where the first device is a trusted device and the first characteristic relates to an access legitimization legitimating the first device for accessing a first institution (i.e., authentication center), presenting by the first device (i.e., the personal unit) the first linking information and by the second device (i.e., service node) the second linking information, the step of presenting being performed after the step of sending such that the first linking information is output on the first device in parallel to output of the second information on the second device (Falk: column 6 lines 12-30; and column 6 line 61 through column 7 line 19), entering into the first device an indication of the matching of the first linking information and the second linking information, based on the entered indication of the matching, sending from the first device to the server a matching confirmation for confirming the matching to the server, associating the first characteristic and the second characteristic based on the received matching confirmation, for executing the linking, the server further verifying the access legitimization of the first device, based on the linking, sending a message from

the server for granting access to the second institution (i.e., electronic service) (Falk: column 6 lines 38-55; and column 6 line 61 through column 7 line 19).

17. Regarding claims 2 and 11, Falk discloses wherein the request for linking is a request for authentication and the first device is a trusted device within said communication network, further comprising the step of stating the association by an authentication assertion (Falk: see figure 1; and column 5 lines 23-29).

18. Regarding claims 3 and 12, Falk discloses wherein the authentication assertion is sent for granting access.

19. Regarding claims 5 and 14, Falk discloses wherein the second characteristic comprises an identifier identifying the second device and access to a second institution is granted to or via the second device based on the associating of the first characteristic relating to the access legitimization and the second characteristic comprising the identifier, the second institution being identical to or different from the first institution (Falk: column 6 lines 38-55).

20. Regarding claims 6 and 15, Falk discloses wherein the first linking information and the second linking information comprise one or more randomly generated symbols (Falk: column 5 lines 30-44).

21. Regarding claims 7 and 16, Falk discloses wherein the first linking information is identical to the second linking information (Falk: column 5 lines 30-55).

22. Regarding claims 8, 17, and 19, Falk discloses wherein the associating is based on a verification for correctness of confirmation data entered into the first device (Falk: column 6 lines 3-30).

23. Regarding claims 9 and 20, Falk discloses wherein the entered confirmation data comprises at least one of (a) a Personal Identification Number, (b) a password, (c) an indication for additional information being presented in parallel to the first linking information or second linking information, the additional information being distinguishable from the first linking information and the second linking information, and (d) data being computed on the base of the first linking information and/or the second linking information (Falk: column 6 lines 3-55).

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRANG DOAN whose telephone number is (571)272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/
Examiner, Art Unit 2431
/Syed Zia/
Primary Examiner, Art Unit 2431